

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

IN RE: HOLOCAUST VICTIM ASSETS
LITIGATION

This Document Relates to: All Cases

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: Case No. CV 96-4849 (ERK)(MDG)
: (Consolidated with CV 96-5161
: and CV 97-461)

MEMORANDUM & ORDER **FILED**
IN CLERK'S OFFICE
U.S. DISTRICT COURT, E.D.N.Y.

★ JAN 30 2007 ★

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BROOKLYN OFFICE

**MEMORANDUM & ORDER APPROVING SET 7HBJ¹ OF DECISIONS ON
APPEAL**

KORMAN, J.:

As provided under the Settlement Agreement, and in accordance with the procedures established in the December 8, 2000 Memorandum & Order, in the December 14, 2006 Memorandum & Order, and in the Plan of Allocation and Distribution of Settlement Proceeds, Special Master Helen B. Junz is hereby requesting the Court's approval of the 20 Decisions on Appeal listed in Annex A to this Order. At the direction of the Court, Special Master Junz was not involved in the initial review of the CRT's recommendations in connection with the 20 decisions described herein. Accordingly, the Court determined that it was appropriate for her to review these decisions on appeal and to provide her appellate recommendations to the Court.

Under Article 22(2), the Rules further provide that "[a]n Award may be made of the value of an Account in favor of a Claimant if:

¹ This being the seventh Set of Appeal Decisions submitted to the Court by Special Master Helen B. Junz.

- a) the Claimant has identified a person with precisely the same name as the Account Owner, or the Claimant has accurately identified a person with substantially the similar name as the Account Owner or a credible pseudonym, and where applicable, has provided a plausible explanation for the difference in names; and
- b) the CRT is satisfied that the information provided by the Claimant is consistent with unpublished information in the bank records..."

In 19 of these 20 cases the CRT has determined, and the Special Master has confirmed on appeal, that the Claimant was not able to identify his or her relative as the Account Owner as described in Article 22(2) of the Rules. Accordingly, these appeals are dismissed. In one case, the CRT's Certified Denial has been remanded to the CRT for reconsideration. Therefore, it is hereby

ORDERED that the 20 Decisions on Appeal listed in Annex A are hereby approved and shall be distributed to the relevant Claimants by the CRT.

It is further ordered that the Special Master shall provide the Court with the name and address of every Claimant receiving a Decision on Appeal, which information shall be filed with the Court under seal.

Dated: Brooklyn, New York
January 27, 2009

SO ORDERED:

s/Edward R. Korman

Edward R. Korman
United States District Judge